

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ULTIMATE ACQUISITION CORP.  
d/b/a ULTIMATE TOOL & SAFETY,**

**Plaintiff,**

**vs.**

**KY MITCHELL, T&E EQUIPMENT,  
INC. AND T&E FLOW SERVICES, LLC,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**Case No. 3:23-cv-325-K**

---

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL**

---

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff hereby gives notice that this action is dismissed. Defendants Ky Mitchell, T&E Equipment, Inc., and T&E Flow Services, LLC have not served an answer or motion for summary judgment. Accordingly, Plaintiff provides this notice that the action is dismissed.

[SIGNATURE BLOCK ON NEXT PAGE]

Respectfully submitted,

/s/ Gregory B. Cox

---

**Gregory B. Cox**

Texas Bar No. 24104778

greg@gregcox.law

GREGORY B. COX PLLC

2830 S. Hulen St. #827

Fort Worth, Texas 76109

Telephone: (512) 779-2458

**Ryan Logan Valdez**

Texas Bar No.

rvaldez@canteyhanger.com

CANTEY HANGER LLP

600 West 6th Street, Suite 300

Fort Worth, Texas 76102

Telephone: (817) 877-2800

Facsimile: (817) 877-2807

**COUNSEL FOR PLAINTIFF  
ULTIMATE ACQUISITION CORP.  
d/b/a ULTIMATE TOOL & SAFETY**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all counsel of record via the Court's CM/ECF system pursuant to the Federal Rules of Civil Procedure on this 7th day of March, 2023 to:

**Jason L. Sanders**

Texas Bar No. 24037428  
jsanders@sanderscollins.com  
(214) 775-0631 Direct  
(214) 499-7709 Cell

**Caroline E. Allen**

Texas Bar No. 24121320  
callen@sanderscollins.com  
(214) 775-0635 Direct  
(575) 808-3206 Cell  
SANDERS COLLINS PLLC  
325 N. St. Paul St., Suite 3100 Dallas,  
Texas 75201  
Main Telephone: (214) 775-0630  
Facsimile: (214) 242-3004  
www.sanderscollins.com

**COUNSEL FOR DEFENDANTS T&E  
EQUIPMENT, INC. AND T&E FLOW  
SERVICES, LLC**

**Jason A. LeBoeuf**

jason@leboeufllawfirm.com  
LEBOEUF LAW FIRM, PLLC  
675 Town Square Blvd., Suite 200  
Building 1A  
Garland, Texas 75040  
Telephone: (214) 206-7423  
Facsimile: (214) 730-5944

**COUNSEL FOR  
DEFENDANT KY  
MITCHELL**

/s/ Gregory B. Cox

Counsel for Plaintiff